

ORDINANCE NO. 95-1

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOMERSET, TEXAS ORDERING AN ELECTION ON ADOPTION OF AN ADDITIONAL ONE-HALF OF THE ONE PERCENT SALES AND USE TAX WITHIN THE CITY OF SOMERSET TO BE USED FOR PROMOTION AND DEVELOPMENT OF NEW AND EXPANDED BUSINESS ENTERPRISES AND CERTAIN PURPOSES AUTHORIZED BY SECTION 4B, ARTICLE 5190.6, V.T.C.S., AS AMENDED (THE DEVELOPMENT CORPORATION ACT OF 1979); PROVIDING FOR NOTICE OF ELECTION AND ORDAINING OTHER RELATED MATTERS.

WHEREAS, pursuant to Section 4B(d), Development Corporation Act of 1979 (Article 1590.6 V.T.C.S.), the City Council is authorized to call an election on the adoption of an additional one half of one percent sales and use tax within the City to be used for the promotion and development of new and expanded business enterprises and all other purposes authorized by Section 4B, Development Corporation act of 1979 (Article 5190.6, V.T.C.S.); and

WHEREAS, the City Council of the City of Somerset desires to call an election upon the adoption of such additional sales and use tax,

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOMERSET, TEXAS, AS FOLLOWS:

Section 1. An election is hereby ordered to be held within the City of Somerset, Texas, on Saturday May 6, 1995, at Somerset City Hall, at 7995 E. Sixth Street, Somerset, Tx.

Section 2. That at such election the following proposition shall be submitted to the qualified voters of the City of Somerset, Texas, in accordance with law:

Proposition

The adoption of an additional on-half of one percent sales and use tax to be used for any purpose authorized by Section 4B, Article 5190.6, V.T.C.S., as amended, (The Development Corporation Act of 1979), including but not limited to projects for the promotion and development of new or expanded business enterprises, including a project to provide public safety facilities, streets and roads, drainage and related improvements, demolition of existing structures, general municipally owned improvements, as well as any improvements or facilities that are related to any of those projects and any other project that promotes or develops new or expanded business enterprises, as well as projects required or suitable for use for

professional and amateur (including children's) sports, athletic, entertainment, tourist, convention, and public park purposes and events, including stadiums, ball parks, auditoriums, amphitheaters, concert halls, learning centers, parks and park facilities, open space improvements, municipal buildings, museums, exhibition facilities, and related store, restaurant, concession, and automobile parking facilities, related area transportation facilities, and related roads, streets, and water and sewer facilities and other related items that enhance any of those items, including the maintenance and operating costs of any such projects mentioned above.

Section 3. The official ballots for said election shall be prepared in accordance with the Texas Election Code so as to permit the electors to vote "FOR" or "AGAINST" the proposition, with the ballots to contain such provisions, markings and language as required by the law, and with the proposition to be expressed substantially as follows:

Proposition 1

<i>For</i>	<i>The adoption of an additional one-half of one percent sales and use tax within the City pursuant to the provisions of Article 5190.6, V.T.C.S., as amended, (The Development Corporation Act of 1979), with proceeds thereof to be used and applied in the manner and to the purposes authorized by Section 4B of the Act, including but not limited to</i>
<i>Against</i>	<i>parks and park facilities, street paving, drainage and related improvements, municipal buildings, including the development and maintenance of municipal and public facilities, tourism, libraries, open-space improvements, and the promotion and development of new or expanded business enterprises, including the maintenance and operating cost of any such projects mentioned above.</i>

Section 4. Early voting by personal appearance shall be conducted each weekday between the hours of 8:00 a.m. and 5:00 p.m. (closed during noon hour) at Somerset City Hall, located at 7995 E. Sixth Street, in Somerset, Texas. The period for early voting by personal appearance shall begin on the 20th day before election day and continue through the fourth day before election day, except as otherwise provided by law. The City Secretary shall act as the main early voting clerk.

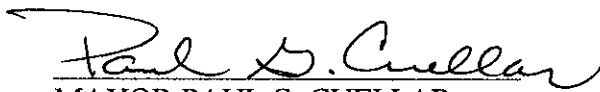
Section 5. The City Secretary is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

Section 6. The Mayor shall give notice of this election in accordance with the terms and provisions of Chapter 4 of the election Code and returns of said notice shall be made as provided in said Chapter 4, and the Mayor shall issue all necessary orders and writs for said election to include appointment of an election judge, clerks, early voting clerk and early voting ballot board and returns of said election shall be made to the City Council as required or allowed by law after the closing of the polls.


PASSED and approved this 9th day of March, 1995.


MAYOR PAUL G. CUELLAR

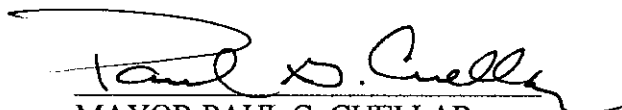
Council Member	Voted Aye	Voted No
Carol Koehler, Mayor Pro Tem	<u>✓</u>	<u> </u>
Wm. "Buddy" Reinhart	<u>✓</u>	<u> </u>
Linda Guerra	<u>✓</u>	<u> </u>
Janice Favor	<u>✓</u>	<u> </u>
Sammy Hernandez	<u>✓</u>	<u> </u>


MAYOR PAUL G. CUELLAR

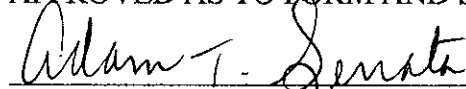
ATTEST:


DIANE DE HOYOS, CITY SECRETARY

I hereby approve the above and foregoing ordinance on the 9th day of March, 1995.


MAYOR PAUL G. CUELLAR

APPROVED AS TO FORM AND SUBSTANCE:


ADAM T. SERRATA, CITY ATTORNEY